REMARKS

This application has been reviewed in light of the Office Action dated December 9, 2002. Claims 1-6 and 11-18 are presented for examination, of which Claims 1, 6, 11, and 18 are in independent form. Claims 1-3, 6, 11, 16, and 18 have been amended as to formal matters and/or to define Applicant's invention more clearly. Favorable reconsideration is requested.

The Office Action rejected Claims 1-6, 11-13, 17, and 18 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,661,568 (Ueno) in view of U.S. Patent No. 5,199,071 (Abe et al.). Claims 14-16 stand rejected under § 103(a) as being unpatentable over Ueno in view of Abe et al., and further in view of U.S. Patent No. 5,303,066 (Kawaguchi). Applicant submits that independent Claims 1, 6, 11, and 18, together with the claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

An aspect of the present invention set forth in Claim 1 is directed to a communication apparatus adapted to execute a plurality of kinds of facsimile protocols. The apparatus includes a detector circuit, a communication circuit, a memory, and a control circuit. The detector circuit detects ID information for identifying a calling station before a start of communication with the calling station, on the occasion of reception of a call. The communication circuit communicates with the calling station. The memory stores (1) ID information detected by the detector circuit and (2) a facsimile protocol used for communication with the calling station conducted through the communication circuit, in correspondence with

each other. When ID information detected by the detector circuit upon an occasion of reception of a call is already stored in the memory, the control circuit causes communication to be conducted using a facsimile protocol stored in the memory in correspondence with the detected ID information.

According to Claim 1, when a *called* station receives a call from a *calling* station, ID information identifying the *calling* station is detected. A facsimile protocol used for communication with the *calling* station and the detected ID information are stored (registered) in a memory in correspondence with each other. If ID information detected in a next or later communication is already registered in the memory, a facsimile protocol corresponding to the newly detected ID information, stored in the memory, is used for the communication.

Ueno relates to protocol selection in a data communication system with a low-speed modem and a high-speed modem. Abe et al. relates to a system for matching operation modes of modems used to connect terminals to a telephone line. Applicant submits that a combination of Ueno and Abe et al., assuming such combination would even be permissible, would fail to teach or suggest a communication apparatus that includes "a detector circuit adapted to detect ID information for identifying a *calling* station before a start of communication with the *calling* station, on the occasion of reception of a call," and "a communication circuit adapted to communicate with the *calling* station," and "a memory adapted to store (1) ID information detected by said detector circuit and (2) a facsimile protocol used for communication with the *calling* station conducted through said communication circuit, in correspondence with each other," and "a control circuit adapted to, when ID information detected by said detector

circuit upon an occasion of reception of a call is already stored in said memory, cause communication to be conducted using a facsimile protocol stored in said memory in correspondence with the detected ID information," as recited in Claim 1 (emphasis added).

In the Ueno system, a telephone number of a called station and a facsimile protocol available in the called station are stored in a memory, in advance, in correspondence with to each other. When a user dials the telephone number to communicate with the called station, the facsimile protocol corresponding to the telephone number, stored in the memory, is used to start the communication. In other words, the Ueno system is directed to a *calling* station that utilizes ID information of a *called* station, but fails to teach or suggest a *called* station that selectively uses a facsimile protocol based on ID information of a *calling* station detected upon reception of a call, as claimed in Claim 1.

Abe et al. fails to remedy the deficiencies of Ueno. Abe et al. is understood to disclose that operation modes corresponding to extension numbers designated by a calling station are registered in advance and, when the calling station designates one of the registered extension numbers, communication is conducted in an operation mode corresponding to the designated extension number. Apparently, Abe et al. teaches that the *calling* station utilizes ID information of a *called* station, but fails to disclose or suggest a *called* station that selectively uses a facsimile protocol based on ID information of a *calling* station, as claimed in Claim 1.

Accordingly, Applicant submits that Claim 1 is patentable over the cited art, and respectfully requests withdrawal of the rejection under 35 U.S.C. § 103(a). Independent Claim 6 includes a feature similar to that discussed above, in which a *called* station selectively

uses a facsimile protocol based on ID information of a *calling* station. Therefore, Claim 6 also is believed to be patentable for at least the same reasons as discussed above.

An aspect of the present invention set forth in Claim 11 is directed to a communication apparatus adapted to execute a plurality of types of communication protocols for image communication. The apparatus includes a receiver circuit and a control circuit. The receiver circuit receives ID information for identifying a calling station before a start of communication of a protocol signal relating to image communication, upon an occasion of reception of a call. The control circuit conducts communication based on an image communication protocol corresponding to the ID information received by the receiver circuit, or conducts communication to determine an image communication protocol to be used, according to whether or not the ID information is received by the receiver circuit, after having made a response to the call.

Applicant submits that a combination of Ueno and Abe et al., assuming such combination would even be permissible, would fail to teach or suggest a communication apparatus that includes "a receiver circuit adapted to receive ID information for identifying a *calling* station before a start of communication of a protocol signal relating to image communication, upon an occasion of reception of a call," and "a control circuit adapted to conduct communication based on an image communication protocol corresponding to the ID information received by said receiver circuit, or to conduct communication to determine an image communication protocol to be used, according to whether or not the ID information is received by said receiver circuit, after having made a response to the call," as recited in Claim 11

(emphasis added).

The discussion above in connection with Claim 1 is also applicable to Claim 11. That is, both Ueno and Abe et al. teach that a *calling* station utilizes ID information of a *called* station, but fails to disclose or suggest a *called* station that selectively uses a facsimile protocol of a *calling* station, based on ID information of the *calling* station, as claimed in Claim 11.

Accordingly, Applicant submits that Claim 11 is patentable over the cited art, and respectfully requests withdrawal of the rejection under 35 U.S.C. § 103(a). Independent Claim 18 includes a feature similar to that discussed above, in which a *called* station selectively uses a facsimile protocol based on ID information of a *calling* station. Therefore, Claim 18 also is believed to be patentable for at least the same reasons as discussed above.

Finally, Applicant submits that Kawaguchi fails to remedy the deficiencies of Ueno and Abe et al. Kawaguchi is understood to discloses a system in which a telephone number of a called station and a modem speed available in the called station are stored in a memory, in advance, in correspondence with each other. When a user designates a telephone number, communication is started at a modem speed corresponding to the telephone number, stored in the memory. Also, Kawaguchi teaches that a table indicating correspondence between telephone numbers and the modem speeds is updated. However, Kawaguchi is silent regarding a *called* station that selectively uses a facsimile protocol based on ID information of a *calling* station.

The other rejected claims in this application depend from one or another of the

independent claims discussed above, and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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